



Rep. Lou Lang

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1 AMENDMENT TO SENATE BILL 1884

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1884 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Finance Act is amended by adding  
5 Sections 5.826 and 6z-98 and by changing Section 6z-45 as  
6 follows:

7 (30 ILCS 105/5.826 new)

8 Sec. 5.826. The Chicago State University Education  
9 Improvement Fund.

10 (30 ILCS 105/6z-45)

11 Sec. 6z-45. The School Infrastructure Fund.

12 (a) The School Infrastructure Fund is created as a special  
13 fund in the State Treasury.

14 In addition to any other deposits authorized by law,  
15 beginning January 1, 2000, on the first day of each month, or

1 as soon thereafter as may be practical, the State Treasurer and  
2 State Comptroller shall transfer the sum of \$5,000,000 from the  
3 General Revenue Fund to the School Infrastructure Fund, except  
4 that, notwithstanding any other provision of law, and in  
5 addition to any other transfers that may be provided for by  
6 law, before June 30, 2012, the Comptroller and the Treasurer  
7 shall transfer \$45,000,000 from the General Revenue Fund into  
8 the School Infrastructure Fund, and, for fiscal year 2013 only,  
9 the Treasurer and the Comptroller shall transfer \$1,250,000  
10 from the General Revenue Fund to the School Infrastructure Fund  
11 on the first day of each month; provided, however, that no such  
12 transfers shall be made from July 1, 2001 through June 30,  
13 2003.

14 (b) Subject to the transfer provisions set forth below,  
15 money in the School Infrastructure Fund shall, if and when the  
16 State of Illinois incurs any bonded indebtedness for the  
17 construction of school improvements under the School  
18 Construction Law, be set aside and used for the purpose of  
19 paying and discharging annually the principal and interest on  
20 that bonded indebtedness then due and payable, and for no other  
21 purpose.

22 In addition to other transfers to the General Obligation  
23 Bond Retirement and Interest Fund made pursuant to Section 15  
24 of the General Obligation Bond Act, upon each delivery of bonds  
25 issued for construction of school improvements under the School  
26 Construction Law, the State Comptroller shall compute and

1 certify to the State Treasurer the total amount of principal  
2 of, interest on, and premium, if any, on such bonds during the  
3 then current and each succeeding fiscal year. With respect to  
4 the interest payable on variable rate bonds, such  
5 certifications shall be calculated at the maximum rate of  
6 interest that may be payable during the fiscal year, after  
7 taking into account any credits permitted in the related  
8 indenture or other instrument against the amount of such  
9 interest required to be appropriated for that period.

10 On or before the last day of each month, the State  
11 Treasurer and State Comptroller shall transfer from the School  
12 Infrastructure Fund to the General Obligation Bond Retirement  
13 and Interest Fund an amount sufficient to pay the aggregate of  
14 the principal of, interest on, and premium, if any, on the  
15 bonds payable on their next payment date, divided by the number  
16 of monthly transfers occurring between the last previous  
17 payment date (or the delivery date if no payment date has yet  
18 occurred) and the next succeeding payment date. Interest  
19 payable on variable rate bonds shall be calculated at the  
20 maximum rate of interest that may be payable for the relevant  
21 period, after taking into account any credits permitted in the  
22 related indenture or other instrument against the amount of  
23 such interest required to be appropriated for that period.  
24 Interest for which moneys have already been deposited into the  
25 capitalized interest account within the General Obligation  
26 Bond Retirement and Interest Fund shall not be included in the

1 calculation of the amounts to be transferred under this  
2 subsection.

3 (b-5) The money deposited into the School Infrastructure  
4 Fund from transfers pursuant to subsections (c-30) and (c-35)  
5 of Section 13 of the Riverboat Gambling Act shall be applied,  
6 without further direction, as provided in subsection (b-3) of  
7 Section 5-35 of the School Construction Law.

8 (c) The surplus, if any, in the School Infrastructure Fund  
9 after payments made pursuant to subsections (b) and (b-5) of  
10 this Section ~~the payment of principal and interest on that~~  
11 ~~bonded indebtedness then annually due~~ shall, subject to  
12 appropriation, be used as follows:

13 First - to make 3 payments to the School Technology  
14 Revolving Loan Fund as follows:

15 Transfer of \$30,000,000 in fiscal year 1999;

16 Transfer of \$20,000,000 in fiscal year 2000; and

17 Transfer of \$10,000,000 in fiscal year 2001.

18 Second - to pay the expenses of the State Board of  
19 Education and the Capital Development Board in administering  
20 programs under the School Construction Law, the total expenses  
21 not to exceed \$1,200,000 in any fiscal year.

22 Third - to pay any amounts due for grants for school  
23 construction projects and debt service under the School  
24 Construction Law.

25 Fourth - to pay any amounts due for grants for school  
26 maintenance projects under the School Construction Law.

1 (Source: P.A. 97-732, eff. 6-30-12.)

2 (30 ILCS 105/6z-98 new)

3 Sec. 6z-98. The Chicago State University Education  
4 Improvement Fund. The Chicago State University Education  
5 Improvement Fund is hereby created as a special fund in the  
6 State treasury. The moneys deposited into the Fund shall be  
7 used by Chicago State University, subject to appropriation, for  
8 expenses incurred by the University. All interest earned on  
9 moneys in the Fund shall remain in the Fund.

10 Section 10. The School Construction Law is amended by  
11 changing Section 5-35 as follows:

12 (105 ILCS 230/5-35)

13 Sec. 5-35. School construction project grant amounts;  
14 permitted use; prohibited use.

15 (a) The product of the district's grant index and the  
16 recognized project cost, as determined by the Capital  
17 Development Board, for an approved school construction project  
18 shall equal the amount of the grant the Capital Development  
19 Board shall provide to the eligible district. The grant index  
20 shall not be used in cases where the General Assembly and the  
21 Governor approve appropriations designated for specifically  
22 identified school district construction projects.

23 The average of the grant indexes of the member districts in

1 a joint agreement shall be used to calculate the amount of a  
2 school construction project grant awarded to an eligible Type  
3 40 area vocational center.

4 (b) In each fiscal year in which school construction  
5 project grants are awarded, 20% of the total amount awarded  
6 statewide shall be awarded to a school district with a  
7 population exceeding 500,000, provided such district complies  
8 with the provisions of this Article.

9 In addition to the uses otherwise authorized by this Law,  
10 any school district with a population exceeding 500,000 is  
11 authorized to use any or all of the school construction project  
12 grants (i) to pay debt service, as defined in the Local  
13 Government Debt Reform Act, on bonds, as defined in the Local  
14 Government Debt Reform Act, issued to finance one or more  
15 school construction projects and (ii) to the extent that any  
16 such bond is a lease or other installment or financing contract  
17 between the school district and a public building commission  
18 that has issued bonds to finance one or more qualifying school  
19 construction projects, to make lease payments under the lease.

20 (b-3) The Capital Development Board shall make payment in  
21 an amount equal to 20% of each amount deposited into the School  
22 Infrastructure Fund pursuant to subsection (b-5) of Section  
23 6z-45 of the State Finance Act to the Board of Education of the  
24 City of Chicago within 10 days after such deposit. The Board of  
25 Education of the City of Chicago shall use such moneys received  
26 (i) for application to the costs of a school construction

1 project, (ii) to pay debt service on bonds, as those terms are  
2 defined in the Local Government Debt Reform Act, that are  
3 issued to finance one or more school construction projects, and  
4 (iii) to the extent that any such bond is a lease or other  
5 installment or financing contract between the school district  
6 and a public building commission that has issued bonds to  
7 finance one or more qualifying school construction projects, to  
8 make lease payments under the lease. The Board of Education of  
9 the City of Chicago shall submit quarterly to the Capital  
10 Development Board documentation sufficient to establish that  
11 this money is being used as authorized by this Section. The  
12 Capital Development Board may withhold payments if the  
13 documentation is not provided. The remaining 80% of each such  
14 deposit shall be applied in accordance with the provisions of  
15 subsection (a) of this Section; however, no portion of this  
16 remaining 80% shall be awarded to a school district with a  
17 population of more than 500,000.

18 (b-5) In addition to the uses otherwise authorized by this  
19 Law, any school district that (1) was organized prior to 1860  
20 and (2) is located in part in a city originally incorporated  
21 prior to 1840 is authorized to use any or all of the school  
22 construction project grants (i) to pay debt service on bonds,  
23 as those terms are defined in the Local Government Debt Reform  
24 Act, that are issued to finance one or more school construction  
25 projects and (ii) to the extent that any such bond is a lease  
26 or other installment or financing contract between the school

1 district and a public building commission that has issued bonds  
2 to finance one or more qualifying school construction projects,  
3 to make lease payments under the lease.

4 (c) No portion of a school construction project grant  
5 awarded by the Capital Development Board shall be used by a  
6 school district for any on-going operational costs.

7 (Source: P.A. 96-731, eff. 8-25-09; 96-1467, eff. 8-20-10.)

8 Section 15. The Illinois Horse Racing Act of 1975 is  
9 amended by changing Sections 26, 26.7, 27, and 54 as follows:

10 (230 ILCS 5/26) (from Ch. 8, par. 37-26)

11 Sec. 26. Wagering.

12 (a) Any licensee may conduct and supervise the pari-mutuel  
13 system of wagering, as defined in Section 3.12 of this Act, on  
14 horse races conducted by an Illinois organization licensee or  
15 conducted at a racetrack located in another state or country  
16 and televised in Illinois in accordance with subsection (g) of  
17 Section 26 of this Act. Subject to the prior consent of the  
18 Board, licensees may supplement any pari-mutuel pool in order  
19 to guarantee a minimum distribution. Such pari-mutuel method of  
20 wagering shall not, under any circumstances if conducted under  
21 the provisions of this Act, be held or construed to be  
22 unlawful, other statutes of this State to the contrary  
23 notwithstanding. Subject to rules for advance wagering  
24 promulgated by the Board, any licensee may accept wagers in

1 advance of the day of the race wagered upon occurs.

2 (b) No other method of betting, pool making, wagering or  
3 gambling shall be used or permitted by the licensee. Each  
4 licensee may retain, subject to the payment of all applicable  
5 taxes and purses, an amount not to exceed 17% of all money  
6 wagered under subsection (a) of this Section, except as may  
7 otherwise be permitted under this Act.

8 (b-5) An individual may place a wager under the pari-mutuel  
9 system from any licensed location authorized under this Act  
10 provided that wager is electronically recorded in the manner  
11 described in Section 3.12 of this Act. Any wager made  
12 electronically by an individual while physically on the  
13 premises of a licensee shall be deemed to have been made at the  
14 premises of that licensee.

15 (c) Until January 1, 2000, the sum held by any licensee for  
16 payment of outstanding pari-mutuel tickets, if unclaimed prior  
17 to December 31 of the next year, shall be retained by the  
18 licensee for payment of such tickets until that date. Within 10  
19 days thereafter, the balance of such sum remaining unclaimed,  
20 less any uncashed supplements contributed by such licensee for  
21 the purpose of guaranteeing minimum distributions of any  
22 pari-mutuel pool, shall be paid to the Illinois Veterans'  
23 Rehabilitation Fund of the State treasury, except as provided  
24 in subsection (g) of Section 27 of this Act.

25 (c-5) Beginning January 1, 2000, the sum held by any  
26 licensee for payment of outstanding pari-mutuel tickets, if

1 unclaimed prior to December 31 of the next year, shall be  
2 retained by the licensee for payment of such tickets until that  
3 date. Within 10 days thereafter, the balance of such sum  
4 remaining unclaimed, less any uncashed supplements contributed  
5 by such licensee for the purpose of guaranteeing minimum  
6 distributions of any pari-mutuel pool, shall be evenly  
7 distributed to the purse account of the organization licensee  
8 and the organization licensee.

9 (d) A pari-mutuel ticket shall be honored until December 31  
10 of the next calendar year, and the licensee shall pay the same  
11 and may charge the amount thereof against unpaid money  
12 similarly accumulated on account of pari-mutuel tickets not  
13 presented for payment.

14 (e) No licensee shall knowingly permit any minor, other  
15 than an employee of such licensee or an owner, trainer, jockey,  
16 driver, or employee thereof, to be admitted during a racing  
17 program unless accompanied by a parent or guardian, or any  
18 minor to be a patron of the pari-mutuel system of wagering  
19 conducted or supervised by it. The admission of any  
20 unaccompanied minor, other than an employee of the licensee or  
21 an owner, trainer, jockey, driver, or employee thereof at a  
22 race track is a Class C misdemeanor.

23 (f) Notwithstanding the other provisions of this Act, an  
24 organization licensee may contract with an entity in another  
25 state or country to permit any legal wagering entity in another  
26 state or country to accept wagers solely within such other

1 state or country on races conducted by the organization  
2 licensee in this State. Beginning January 1, 2000, these wagers  
3 shall not be subject to State taxation. Until January 1, 2000,  
4 when the out-of-State entity conducts a pari-mutuel pool  
5 separate from the organization licensee, a privilege tax equal  
6 to 7 1/2% of all monies received by the organization licensee  
7 from entities in other states or countries pursuant to such  
8 contracts is imposed on the organization licensee, and such  
9 privilege tax shall be remitted to the Department of Revenue  
10 within 48 hours of receipt of the moneys from the simulcast.  
11 When the out-of-State entity conducts a combined pari-mutuel  
12 pool with the organization licensee, the tax shall be 10% of  
13 all monies received by the organization licensee with 25% of  
14 the receipts from this 10% tax to be distributed to the county  
15 in which the race was conducted.

16 An organization licensee may permit one or more of its  
17 races to be utilized for pari-mutuel wagering at one or more  
18 locations in other states and may transmit audio and visual  
19 signals of races the organization licensee conducts to one or  
20 more locations outside the State or country and may also permit  
21 pari-mutuel pools in other states or countries to be combined  
22 with its gross or net wagering pools or with wagering pools  
23 established by other states.

24 (g) A host track may accept interstate simulcast wagers on  
25 horse races conducted in other states or countries and shall  
26 control the number of signals and types of breeds of racing in

1 its simulcast program, subject to the disapproval of the Board.  
2 The Board may prohibit a simulcast program only if it finds  
3 that the simulcast program is clearly adverse to the integrity  
4 of racing. The host track simulcast program shall include the  
5 signal of live racing of all organization licensees. All  
6 non-host licensees and advance deposit wagering licensees  
7 shall carry the signal of and accept wagers on live racing of  
8 all organization licensees. Advance deposit wagering licensees  
9 shall not be permitted to accept out-of-state wagers on any  
10 Illinois signal provided pursuant to this Section without the  
11 approval and consent of the organization licensee providing the  
12 signal. Non-host licensees may carry the host track simulcast  
13 program and shall accept wagers on all races included as part  
14 of the simulcast program upon which wagering is permitted. All  
15 organization licensees shall provide their live signal to all  
16 advance deposit wagering licensees for a simulcast commission  
17 fee not to exceed 6% of the advance deposit wagering licensee's  
18 Illinois handle on the organization licensee's signal without  
19 prior approval by the Board. The Board may adopt rules under  
20 which it may permit simulcast commission fees in excess of 6%.  
21 The Board shall adopt rules limiting the interstate commission  
22 fees charged to an advance deposit wagering licensee. The Board  
23 shall adopt rules regarding advance deposit wagering on  
24 interstate simulcast races that shall reflect, among other  
25 things, the General Assembly's desire to maximize revenues to  
26 the State, horsemen purses, and organizational licensees.

1 However, organization licensees providing live signals  
2 pursuant to the requirements of this subsection (g) may  
3 petition the Board to withhold their live signals from an  
4 advance deposit wagering licensee if the organization licensee  
5 discovers and the Board finds reputable or credible information  
6 that the advance deposit wagering licensee is under  
7 investigation by another state or federal governmental agency,  
8 the advance deposit wagering licensee's license has been  
9 suspended in another state, or the advance deposit wagering  
10 licensee's license is in revocation proceedings in another  
11 state. The organization licensee's provision of their live  
12 signal to an advance deposit wagering licensee under this  
13 subsection (g) pertains to wagers placed from within Illinois.  
14 Advance deposit wagering licensees may place advance deposit  
15 wagering terminals at wagering facilities as a convenience to  
16 customers. The advance deposit wagering licensee shall not  
17 charge or collect any fee from purses for the placement of the  
18 advance deposit wagering terminals. The costs and expenses of  
19 the host track and non-host licensees associated with  
20 interstate simulcast wagering, other than the interstate  
21 commission fee, shall be borne by the host track and all  
22 non-host licensees incurring these costs. The interstate  
23 commission fee shall not exceed 5% of Illinois handle on the  
24 interstate simulcast race or races without prior approval of  
25 the Board. The Board shall promulgate rules under which it may  
26 permit interstate commission fees in excess of 5%. The

1 interstate commission fee and other fees charged by the sending  
2 racetrack, including, but not limited to, satellite decoder  
3 fees, shall be uniformly applied to the host track and all  
4 non-host licensees.

5 Notwithstanding any other provision of this Act, until  
6 January 31, 2014 ~~1, 2013~~, an organization licensee may maintain  
7 a system whereby advance deposit wagering may take place or an  
8 organization licensee, with the consent of the horsemen  
9 association representing the largest number of owners,  
10 trainers, jockeys, or standardbred drivers who race horses at  
11 that organization licensee's racing meeting, may contract with  
12 another person to carry out a system of advance deposit  
13 wagering. Such consent may not be unreasonably withheld. The  
14 actions of any organization licensee who conducts advance  
15 deposit wagering or any person who has a contract with an  
16 organization licensee to conduct advance deposit wagering who  
17 conducts advance deposit wagering on or after January 1, 2013  
18 and prior to the effective date of this amendatory Act of the  
19 98th General Assembly taken in reliance on the changes made to  
20 this subsection (g) by this amendatory Act of the 98th General  
21 Assembly are hereby validated, provided payment of all  
22 applicable pari-mutuel taxes are remitted to the Board. All  
23 advance deposit wagers placed from within Illinois must be  
24 placed through a Board-approved advance deposit wagering  
25 licensee; no other entity may accept an advance deposit wager  
26 from a person within Illinois. All advance deposit wagering is

1 subject to any rules adopted by the Board. The Board may adopt  
2 rules necessary to regulate advance deposit wagering through  
3 the use of emergency rulemaking in accordance with Section 5-45  
4 of the Illinois Administrative Procedure Act. The General  
5 Assembly finds that the adoption of rules to regulate advance  
6 deposit wagering is deemed an emergency and necessary for the  
7 public interest, safety, and welfare. An advance deposit  
8 wagering licensee may retain all moneys as agreed to by  
9 contract with an organization licensee. Any moneys retained by  
10 the organization licensee from advance deposit wagering, not  
11 including moneys retained by the advance deposit wagering  
12 licensee, shall be paid 50% to the organization licensee's  
13 purse account and 50% to the organization licensee. If more  
14 than one breed races at the same race track facility, then the  
15 50% of the moneys to be paid to an organization licensee's  
16 purse account shall be allocated among all organization  
17 licensees' purse accounts operating at that race track facility  
18 proportionately based on the actual number of host days that  
19 the Board grants to that breed at that race track facility in  
20 the current calendar year. To the extent any fees from advance  
21 deposit wagering conducted in Illinois for wagers in Illinois  
22 or other states have been placed in escrow or otherwise  
23 withheld from wagers pending a determination of the legality of  
24 advance deposit wagering, no action shall be brought to declare  
25 such wagers or the disbursement of any fees previously escrowed  
26 illegal.

1           (1) Between the hours of 6:30 a.m. and 6:30 p.m. an  
2 intertrack wagering licensee other than the host track may  
3 supplement the host track simulcast program with  
4 additional simulcast races or race programs, provided that  
5 between January 1 and the third Friday in February of any  
6 year, inclusive, if no live thoroughbred racing is  
7 occurring in Illinois during this period, only  
8 thoroughbred races may be used for supplemental interstate  
9 simulcast purposes. The Board shall withhold approval for a  
10 supplemental interstate simulcast only if it finds that the  
11 simulcast is clearly adverse to the integrity of racing. A  
12 supplemental interstate simulcast may be transmitted from  
13 an intertrack wagering licensee to its affiliated non-host  
14 licensees. The interstate commission fee for a  
15 supplemental interstate simulcast shall be paid by the  
16 non-host licensee and its affiliated non-host licensees  
17 receiving the simulcast.

18           (2) Between the hours of 6:30 p.m. and 6:30 a.m. an  
19 intertrack wagering licensee other than the host track may  
20 receive supplemental interstate simulcasts only with the  
21 consent of the host track, except when the Board finds that  
22 the simulcast is clearly adverse to the integrity of  
23 racing. Consent granted under this paragraph (2) to any  
24 intertrack wagering licensee shall be deemed consent to all  
25 non-host licensees. The interstate commission fee for the  
26 supplemental interstate simulcast shall be paid by all

1 participating non-host licensees.

2 (3) Each licensee conducting interstate simulcast  
3 wagering may retain, subject to the payment of all  
4 applicable taxes and the purses, an amount not to exceed  
5 17% of all money wagered. If any licensee conducts the  
6 pari-mutuel system wagering on races conducted at  
7 racetracks in another state or country, each such race or  
8 race program shall be considered a separate racing day for  
9 the purpose of determining the daily handle and computing  
10 the privilege tax of that daily handle as provided in  
11 subsection (a) of Section 27. Until January 1, 2000, from  
12 the sums permitted to be retained pursuant to this  
13 subsection, each intertrack wagering location licensee  
14 shall pay 1% of the pari-mutuel handle wagered on simulcast  
15 wagering to the Horse Racing Tax Allocation Fund, subject  
16 to the provisions of subparagraph (B) of paragraph (11) of  
17 subsection (h) of Section 26 of this Act.

18 (4) A licensee who receives an interstate simulcast may  
19 combine its gross or net pools with pools at the sending  
20 racetracks pursuant to rules established by the Board. All  
21 licensees combining their gross pools at a sending  
22 racetrack shall adopt the take-out percentages of the  
23 sending racetrack. A licensee may also establish a separate  
24 pool and takeout structure for wagering purposes on races  
25 conducted at race tracks outside of the State of Illinois.  
26 The licensee may permit pari-mutuel wagers placed in other

1 states or countries to be combined with its gross or net  
2 wagering pools or other wagering pools.

3 (5) After the payment of the interstate commission fee  
4 (except for the interstate commission fee on a supplemental  
5 interstate simulcast, which shall be paid by the host track  
6 and by each non-host licensee through the host-track) and  
7 all applicable State and local taxes, except as provided in  
8 subsection (g) of Section 27 of this Act, the remainder of  
9 moneys retained from simulcast wagering pursuant to this  
10 subsection (g), and Section 26.2 shall be divided as  
11 follows:

12 (A) For interstate simulcast wagers made at a host  
13 track, 50% to the host track and 50% to purses at the  
14 host track.

15 (B) For wagers placed on interstate simulcast  
16 races, supplemental simulcasts as defined in  
17 subparagraphs (1) and (2), and separately pooled races  
18 conducted outside of the State of Illinois made at a  
19 non-host licensee, 25% to the host track, 25% to the  
20 non-host licensee, and 50% to the purses at the host  
21 track.

22 (6) Notwithstanding any provision in this Act to the  
23 contrary, non-host licensees who derive their licenses  
24 from a track located in a county with a population in  
25 excess of 230,000 and that borders the Mississippi River  
26 may receive supplemental interstate simulcast races at all

1 times subject to Board approval, which shall be withheld  
2 only upon a finding that a supplemental interstate  
3 simulcast is clearly adverse to the integrity of racing.

4 (7) Notwithstanding any provision of this Act to the  
5 contrary, after payment of all applicable State and local  
6 taxes and interstate commission fees, non-host licensees  
7 who derive their licenses from a track located in a county  
8 with a population in excess of 230,000 and that borders the  
9 Mississippi River shall retain 50% of the retention from  
10 interstate simulcast wagers and shall pay 50% to purses at  
11 the track from which the non-host licensee derives its  
12 license as follows:

13 (A) Between January 1 and the third Friday in  
14 February, inclusive, if no live thoroughbred racing is  
15 occurring in Illinois during this period, when the  
16 interstate simulcast is a standardbred race, the purse  
17 share to its standardbred purse account;

18 (B) Between January 1 and the third Friday in  
19 February, inclusive, if no live thoroughbred racing is  
20 occurring in Illinois during this period, and the  
21 interstate simulcast is a thoroughbred race, the purse  
22 share to its interstate simulcast purse pool to be  
23 distributed under paragraph (10) of this subsection  
24 (g);

25 (C) Between January 1 and the third Friday in  
26 February, inclusive, if live thoroughbred racing is

1 occurring in Illinois, between 6:30 a.m. and 6:30 p.m.  
2 the purse share from wagers made during this time  
3 period to its thoroughbred purse account and between  
4 6:30 p.m. and 6:30 a.m. the purse share from wagers  
5 made during this time period to its standardbred purse  
6 accounts;

7 (D) Between the third Saturday in February and  
8 December 31, when the interstate simulcast occurs  
9 between the hours of 6:30 a.m. and 6:30 p.m., the purse  
10 share to its thoroughbred purse account;

11 (E) Between the third Saturday in February and  
12 December 31, when the interstate simulcast occurs  
13 between the hours of 6:30 p.m. and 6:30 a.m., the purse  
14 share to its standardbred purse account.

15 (7.1) Notwithstanding any other provision of this Act  
16 to the contrary, if no standardbred racing is conducted at  
17 a racetrack located in Madison County during any calendar  
18 year beginning on or after January 1, 2002, all moneys  
19 derived by that racetrack from simulcast wagering and  
20 inter-track wagering that (1) are to be used for purses and  
21 (2) are generated between the hours of 6:30 p.m. and 6:30  
22 a.m. during that calendar year shall be paid as follows:

23 (A) If the licensee that conducts horse racing at  
24 that racetrack requests from the Board at least as many  
25 racing dates as were conducted in calendar year 2000,  
26 80% shall be paid to its thoroughbred purse account;

1           and

2                   (B) Twenty percent shall be deposited into the  
3           Illinois Colt Stakes Purse Distribution Fund and shall  
4           be paid to purses for standardbred races for Illinois  
5           conceived and foaled horses conducted at any county  
6           fairgrounds. The moneys deposited into the Fund  
7           pursuant to this subparagraph (B) shall be deposited  
8           within 2 weeks after the day they were generated, shall  
9           be in addition to and not in lieu of any other moneys  
10          paid to standardbred purses under this Act, and shall  
11          not be commingled with other moneys paid into that  
12          Fund. The moneys deposited pursuant to this  
13          subparagraph (B) shall be allocated as provided by the  
14          Department of Agriculture, with the advice and  
15          assistance of the Illinois Standardbred Breeders Fund  
16          Advisory Board.

17           (7.2) Notwithstanding any other provision of this Act  
18          to the contrary, if no thoroughbred racing is conducted at  
19          a racetrack located in Madison County during any calendar  
20          year beginning on or after January 1, 2002, all moneys  
21          derived by that racetrack from simulcast wagering and  
22          inter-track wagering that (1) are to be used for purses and  
23          (2) are generated between the hours of 6:30 a.m. and 6:30  
24          p.m. during that calendar year shall be deposited as  
25          follows:

26                   (A) If the licensee that conducts horse racing at

1           that racetrack requests from the Board at least as many  
2           racing dates as were conducted in calendar year 2000,  
3           80% shall be deposited into its standardbred purse  
4           account; and

5           (B) Twenty percent shall be deposited into the  
6           Illinois Colt Stakes Purse Distribution Fund. Moneys  
7           deposited into the Illinois Colt Stakes Purse  
8           Distribution Fund pursuant to this subparagraph (B)  
9           shall be paid to Illinois conceived and foaled  
10          thoroughbred breeders' programs and to thoroughbred  
11          purses for races conducted at any county fairgrounds  
12          for Illinois conceived and foaled horses at the  
13          discretion of the Department of Agriculture, with the  
14          advice and assistance of the Illinois Thoroughbred  
15          Breeders Fund Advisory Board. The moneys deposited  
16          into the Illinois Colt Stakes Purse Distribution Fund  
17          pursuant to this subparagraph (B) shall be deposited  
18          within 2 weeks after the day they were generated, shall  
19          be in addition to and not in lieu of any other moneys  
20          paid to thoroughbred purses under this Act, and shall  
21          not be commingled with other moneys deposited into that  
22          Fund.

23          (7.3) If no live standardbred racing is conducted at a  
24          racetrack located in Madison County in calendar year 2000  
25          or 2001, an organization licensee who is licensed to  
26          conduct horse racing at that racetrack shall, before

1       January 1, 2002, pay all moneys derived from simulcast  
2       wagering and inter-track wagering in calendar years 2000  
3       and 2001 and paid into the licensee's standardbred purse  
4       account as follows:

5               (A) Eighty percent to that licensee's thoroughbred  
6       purse account to be used for thoroughbred purses; and

7               (B) Twenty percent to the Illinois Colt Stakes  
8       Purse Distribution Fund.

9       Failure to make the payment to the Illinois Colt Stakes  
10      Purse Distribution Fund before January 1, 2002 shall result  
11      in the immediate revocation of the licensee's organization  
12      license, inter-track wagering license, and inter-track  
13      wagering location license.

14      Moneys paid into the Illinois Colt Stakes Purse  
15      Distribution Fund pursuant to this paragraph (7.3) shall be  
16      paid to purses for standardbred races for Illinois  
17      conceived and foaled horses conducted at any county  
18      fairgrounds. Moneys paid into the Illinois Colt Stakes  
19      Purse Distribution Fund pursuant to this paragraph (7.3)  
20      shall be used as determined by the Department of  
21      Agriculture, with the advice and assistance of the Illinois  
22      Standardbred Breeders Fund Advisory Board, shall be in  
23      addition to and not in lieu of any other moneys paid to  
24      standardbred purses under this Act, and shall not be  
25      commingled with any other moneys paid into that Fund.

26              (7.4) If live standardbred racing is conducted at a

1 racetrack located in Madison County at any time in calendar  
2 year 2001 before the payment required under paragraph (7.3)  
3 has been made, the organization licensee who is licensed to  
4 conduct racing at that racetrack shall pay all moneys  
5 derived by that racetrack from simulcast wagering and  
6 inter-track wagering during calendar years 2000 and 2001  
7 that (1) are to be used for purses and (2) are generated  
8 between the hours of 6:30 p.m. and 6:30 a.m. during 2000 or  
9 2001 to the standardbred purse account at that racetrack to  
10 be used for standardbred purses.

11 (8) Notwithstanding any provision in this Act to the  
12 contrary, an organization licensee from a track located in  
13 a county with a population in excess of 230,000 and that  
14 borders the Mississippi River and its affiliated non-host  
15 licensees shall not be entitled to share in any retention  
16 generated on racing, inter-track wagering, or simulcast  
17 wagering at any other Illinois wagering facility.

18 (8.1) Notwithstanding any provisions in this Act to the  
19 contrary, if 2 organization licensees are conducting  
20 standardbred race meetings concurrently between the hours  
21 of 6:30 p.m. and 6:30 a.m., after payment of all applicable  
22 State and local taxes and interstate commission fees, the  
23 remainder of the amount retained from simulcast wagering  
24 otherwise attributable to the host track and to host track  
25 purses shall be split daily between the 2 organization  
26 licensees and the purses at the tracks of the 2

1 organization licensees, respectively, based on each  
2 organization licensee's share of the total live handle for  
3 that day, provided that this provision shall not apply to  
4 any non-host licensee that derives its license from a track  
5 located in a county with a population in excess of 230,000  
6 and that borders the Mississippi River.

7 (9) (Blank).

8 (10) (Blank).

9 (11) (Blank).

10 (12) The Board shall have authority to compel all host  
11 tracks to receive the simulcast of any or all races  
12 conducted at the Springfield or DuQuoin State fairgrounds  
13 and include all such races as part of their simulcast  
14 programs.

15 (13) Notwithstanding any other provision of this Act,  
16 in the event that the total Illinois pari-mutuel handle on  
17 Illinois horse races at all wagering facilities in any  
18 calendar year is less than 75% of the total Illinois  
19 pari-mutuel handle on Illinois horse races at all such  
20 wagering facilities for calendar year 1994, then each  
21 wagering facility that has an annual total Illinois  
22 pari-mutuel handle on Illinois horse races that is less  
23 than 75% of the total Illinois pari-mutuel handle on  
24 Illinois horse races at such wagering facility for calendar  
25 year 1994, shall be permitted to receive, from any amount  
26 otherwise payable to the purse account at the race track

1 with which the wagering facility is affiliated in the  
2 succeeding calendar year, an amount equal to 2% of the  
3 differential in total Illinois pari-mutuel handle on  
4 Illinois horse races at the wagering facility between that  
5 calendar year in question and 1994 provided, however, that  
6 a wagering facility shall not be entitled to any such  
7 payment until the Board certifies in writing to the  
8 wagering facility the amount to which the wagering facility  
9 is entitled and a schedule for payment of the amount to the  
10 wagering facility, based on: (i) the racing dates awarded  
11 to the race track affiliated with the wagering facility  
12 during the succeeding year; (ii) the sums available or  
13 anticipated to be available in the purse account of the  
14 race track affiliated with the wagering facility for purses  
15 during the succeeding year; and (iii) the need to ensure  
16 reasonable purse levels during the payment period. The  
17 Board's certification shall be provided no later than  
18 January 31 of the succeeding year. In the event a wagering  
19 facility entitled to a payment under this paragraph (13) is  
20 affiliated with a race track that maintains purse accounts  
21 for both standardbred and thoroughbred racing, the amount  
22 to be paid to the wagering facility shall be divided  
23 between each purse account pro rata, based on the amount of  
24 Illinois handle on Illinois standardbred and thoroughbred  
25 racing respectively at the wagering facility during the  
26 previous calendar year. Annually, the General Assembly

1 shall appropriate sufficient funds from the General  
2 Revenue Fund to the Department of Agriculture for payment  
3 into the thoroughbred and standardbred horse racing purse  
4 accounts at Illinois pari-mutuel tracks. The amount paid to  
5 each purse account shall be the amount certified by the  
6 Illinois Racing Board in January to be transferred from  
7 each account to each eligible racing facility in accordance  
8 with the provisions of this Section.

9 (h) The Board may approve and license the conduct of  
10 inter-track wagering and simulcast wagering by inter-track  
11 wagering licensees and inter-track wagering location licensees  
12 subject to the following terms and conditions:

13 (1) Any person licensed to conduct a race meeting (i)  
14 at a track where 60 or more days of racing were conducted  
15 during the immediately preceding calendar year or where  
16 over the 5 immediately preceding calendar years an average  
17 of 30 or more days of racing were conducted annually may be  
18 issued an inter-track wagering license; (ii) at a track  
19 located in a county that is bounded by the Mississippi  
20 River, which has a population of less than 150,000  
21 according to the 1990 decennial census, and an average of  
22 at least 60 days of racing per year between 1985 and 1993  
23 may be issued an inter-track wagering license; or (iii) at  
24 a track located in Madison County that conducted at least  
25 100 days of live racing during the immediately preceding  
26 calendar year may be issued an inter-track wagering

1 license, unless a lesser schedule of live racing is the  
2 result of (A) weather, unsafe track conditions, or other  
3 acts of God; (B) an agreement between the organization  
4 licensee and the associations representing the largest  
5 number of owners, trainers, jockeys, or standardbred  
6 drivers who race horses at that organization licensee's  
7 racing meeting; or (C) a finding by the Board of  
8 extraordinary circumstances and that it was in the best  
9 interest of the public and the sport to conduct fewer than  
10 100 days of live racing. Any such person having operating  
11 control of the racing facility may also receive up to 6  
12 inter-track wagering location licenses. In no event shall  
13 more than 6 inter-track wagering locations be established  
14 for each eligible race track, except that an eligible race  
15 track located in a county that has a population of more  
16 than 230,000 and that is bounded by the Mississippi River  
17 may establish up to 7 inter-track wagering locations. An  
18 application for said license shall be filed with the Board  
19 prior to such dates as may be fixed by the Board. With an  
20 application for an inter-track wagering location license  
21 there shall be delivered to the Board a certified check or  
22 bank draft payable to the order of the Board for an amount  
23 equal to \$500. The application shall be on forms prescribed  
24 and furnished by the Board. The application shall comply  
25 with all other rules, regulations and conditions imposed by  
26 the Board in connection therewith.

1           (2) The Board shall examine the applications with  
2           respect to their conformity with this Act and the rules and  
3           regulations imposed by the Board. If found to be in  
4           compliance with the Act and rules and regulations of the  
5           Board, the Board may then issue a license to conduct  
6           inter-track wagering and simulcast wagering to such  
7           applicant. All such applications shall be acted upon by the  
8           Board at a meeting to be held on such date as may be fixed  
9           by the Board.

10          (3) In granting licenses to conduct inter-track  
11          wagering and simulcast wagering, the Board shall give due  
12          consideration to the best interests of the public, of horse  
13          racing, and of maximizing revenue to the State.

14          (4) Prior to the issuance of a license to conduct  
15          inter-track wagering and simulcast wagering, the applicant  
16          shall file with the Board a bond payable to the State of  
17          Illinois in the sum of \$50,000, executed by the applicant  
18          and a surety company or companies authorized to do business  
19          in this State, and conditioned upon (i) the payment by the  
20          licensee of all taxes due under Section 27 or 27.1 and any  
21          other monies due and payable under this Act, and (ii)  
22          distribution by the licensee, upon presentation of the  
23          winning ticket or tickets, of all sums payable to the  
24          patrons of pari-mutuel pools.

25          (5) Each license to conduct inter-track wagering and  
26          simulcast wagering shall specify the person to whom it is

1 issued, the dates on which such wagering is permitted, and  
2 the track or location where the wagering is to be  
3 conducted.

4 (6) All wagering under such license is subject to this  
5 Act and to the rules and regulations from time to time  
6 prescribed by the Board, and every such license issued by  
7 the Board shall contain a recital to that effect.

8 (7) An inter-track wagering licensee or inter-track  
9 wagering location licensee may accept wagers at the track  
10 or location where it is licensed, or as otherwise provided  
11 under this Act.

12 (8) Inter-track wagering or simulcast wagering shall  
13 not be conducted at any track less than 5 miles from a  
14 track at which a racing meeting is in progress.

15 (8.1) Inter-track wagering location licensees who  
16 derive their licenses from a particular organization  
17 licensee shall conduct inter-track wagering and simulcast  
18 wagering only at locations which are either within 90 miles  
19 of that race track where the particular organization  
20 licensee is licensed to conduct racing, or within 135 miles  
21 of that race track where the particular organization  
22 licensee is licensed to conduct racing in the case of race  
23 tracks in counties of less than 400,000 that were operating  
24 on or before June 1, 1986. However, inter-track wagering  
25 and simulcast wagering shall not be conducted by those  
26 licensees at any location within 5 miles of any race track

1 at which a horse race meeting has been licensed in the  
2 current year, unless the person having operating control of  
3 such race track has given its written consent to such  
4 inter-track wagering location licensees, which consent  
5 must be filed with the Board at or prior to the time  
6 application is made.

7 (8.2) Inter-track wagering or simulcast wagering shall  
8 not be conducted by an inter-track wagering location  
9 licensee at any location within 500 feet of an existing  
10 church or existing school, nor within 500 feet of the  
11 residences of more than 50 registered voters without  
12 receiving written permission from a majority of the  
13 registered voters at such residences. Such written  
14 permission statements shall be filed with the Board. The  
15 distance of 500 feet shall be measured to the nearest part  
16 of any building used for worship services, education  
17 programs, residential purposes, or conducting inter-track  
18 wagering by an inter-track wagering location licensee, and  
19 not to property boundaries. However, inter-track wagering  
20 or simulcast wagering may be conducted at a site within 500  
21 feet of a church, school or residences of 50 or more  
22 registered voters if such church, school or residences have  
23 been erected or established, or such voters have been  
24 registered, after the Board issues the original  
25 inter-track wagering location license at the site in  
26 question. Inter-track wagering location licensees may

1       conduct inter-track wagering and simulcast wagering only  
2       in areas that are zoned for commercial or manufacturing  
3       purposes or in areas for which a special use has been  
4       approved by the local zoning authority. However, no license  
5       to conduct inter-track wagering and simulcast wagering  
6       shall be granted by the Board with respect to any  
7       inter-track wagering location within the jurisdiction of  
8       any local zoning authority which has, by ordinance or by  
9       resolution, prohibited the establishment of an inter-track  
10      wagering location within its jurisdiction. However,  
11      inter-track wagering and simulcast wagering may be  
12      conducted at a site if such ordinance or resolution is  
13      enacted after the Board licenses the original inter-track  
14      wagering location licensee for the site in question.

15           (9) (Blank).

16           (10) An inter-track wagering licensee or an  
17      inter-track wagering location licensee may retain, subject  
18      to the payment of the privilege taxes and the purses, an  
19      amount not to exceed 17% of all money wagered. Each program  
20      of racing conducted by each inter-track wagering licensee  
21      or inter-track wagering location licensee shall be  
22      considered a separate racing day for the purpose of  
23      determining the daily handle and computing the privilege  
24      tax or pari-mutuel tax on such daily handle as provided in  
25      Section 27.

26           (10.1) Except as provided in subsection (g) of Section

1 27 of this Act, inter-track wagering location licensees  
2 shall pay 1% of the pari-mutuel handle at each location to  
3 the municipality in which such location is situated and 1%  
4 of the pari-mutuel handle at each location to the county in  
5 which such location is situated. In the event that an  
6 inter-track wagering location licensee is situated in an  
7 unincorporated area of a county, such licensee shall pay 2%  
8 of the pari-mutuel handle from such location to such  
9 county.

10 (10.2) Notwithstanding any other provision of this  
11 Act, with respect to intertrack wagering at a race track  
12 located in a county that has a population of more than  
13 230,000 and that is bounded by the Mississippi River ("the  
14 first race track"), or at a facility operated by an  
15 inter-track wagering licensee or inter-track wagering  
16 location licensee that derives its license from the  
17 organization licensee that operates the first race track,  
18 on races conducted at the first race track or on races  
19 conducted at another Illinois race track and  
20 simultaneously televised to the first race track or to a  
21 facility operated by an inter-track wagering licensee or  
22 inter-track wagering location licensee that derives its  
23 license from the organization licensee that operates the  
24 first race track, those moneys shall be allocated as  
25 follows:

26 (A) That portion of all moneys wagered on

1           standardbred racing that is required under this Act to  
2           be paid to purses shall be paid to purses for  
3           standardbred races.

4           (B) That portion of all moneys wagered on  
5           thoroughbred racing that is required under this Act to  
6           be paid to purses shall be paid to purses for  
7           thoroughbred races.

8           (11) (A) After payment of the privilege or pari-mutuel  
9           tax, any other applicable taxes, and the costs and expenses  
10          in connection with the gathering, transmission, and  
11          dissemination of all data necessary to the conduct of  
12          inter-track wagering, the remainder of the monies retained  
13          under either Section 26 or Section 26.2 of this Act by the  
14          inter-track wagering licensee on inter-track wagering  
15          shall be allocated with 50% to be split between the 2  
16          participating licensees and 50% to purses, except that an  
17          intertrack wagering licensee that derives its license from  
18          a track located in a county with a population in excess of  
19          230,000 and that borders the Mississippi River shall not  
20          divide any remaining retention with the Illinois  
21          organization licensee that provides the race or races, and  
22          an intertrack wagering licensee that accepts wagers on  
23          races conducted by an organization licensee that conducts a  
24          race meet in a county with a population in excess of  
25          230,000 and that borders the Mississippi River shall not  
26          divide any remaining retention with that organization

1 licensee.

2 (B) From the sums permitted to be retained pursuant to  
3 this Act each inter-track wagering location licensee shall  
4 pay (i) the privilege or pari-mutuel tax to the State; (ii)  
5 4.75% of the pari-mutuel handle on intertrack wagering at  
6 such location on races as purses, except that an intertrack  
7 wagering location licensee that derives its license from a  
8 track located in a county with a population in excess of  
9 230,000 and that borders the Mississippi River shall retain  
10 all purse moneys for its own purse account consistent with  
11 distribution set forth in this subsection (h), and  
12 intertrack wagering location licensees that accept wagers  
13 on races conducted by an organization licensee located in a  
14 county with a population in excess of 230,000 and that  
15 borders the Mississippi River shall distribute all purse  
16 moneys to purses at the operating host track; (iii) until  
17 January 1, 2000, except as provided in subsection (g) of  
18 Section 27 of this Act, 1% of the pari-mutuel handle  
19 wagered on inter-track wagering and simulcast wagering at  
20 each inter-track wagering location licensee facility to  
21 the Horse Racing Tax Allocation Fund, provided that, to the  
22 extent the total amount collected and distributed to the  
23 Horse Racing Tax Allocation Fund under this subsection (h)  
24 during any calendar year exceeds the amount collected and  
25 distributed to the Horse Racing Tax Allocation Fund during  
26 calendar year 1994, that excess amount shall be

1        redistributed (I) to all inter-track wagering location  
2        licensees, based on each licensee's pro-rata share of the  
3        total handle from inter-track wagering and simulcast  
4        wagering for all inter-track wagering location licensees  
5        during the calendar year in which this provision is  
6        applicable; then (II) the amounts redistributed to each  
7        inter-track wagering location licensee as described in  
8        subpart (I) shall be further redistributed as provided in  
9        subparagraph (B) of paragraph (5) of subsection (g) of this  
10       Section 26 provided first, that the shares of those  
11       amounts, which are to be redistributed to the host track or  
12       to purses at the host track under subparagraph (B) of  
13       paragraph (5) of subsection (g) of this Section 26 shall be  
14       redistributed based on each host track's pro rata share of  
15       the total inter-track wagering and simulcast wagering  
16       handle at all host tracks during the calendar year in  
17       question, and second, that any amounts redistributed as  
18       described in part (I) to an inter-track wagering location  
19       licensee that accepts wagers on races conducted by an  
20       organization licensee that conducts a race meet in a county  
21       with a population in excess of 230,000 and that borders the  
22       Mississippi River shall be further redistributed as  
23       provided in subparagraphs (D) and (E) of paragraph (7) of  
24       subsection (g) of this Section 26, with the portion of that  
25       further redistribution allocated to purses at that  
26       organization licensee to be divided between standardbred

1 purses and thoroughbred purses based on the amounts  
2 otherwise allocated to purses at that organization  
3 licensee during the calendar year in question; and (iv) 8%  
4 of the pari-mutuel handle on inter-track wagering wagered  
5 at such location to satisfy all costs and expenses of  
6 conducting its wagering. The remainder of the monies  
7 retained by the inter-track wagering location licensee  
8 shall be allocated 40% to the location licensee and 60% to  
9 the organization licensee which provides the Illinois  
10 races to the location, except that an intertrack wagering  
11 location licensee that derives its license from a track  
12 located in a county with a population in excess of 230,000  
13 and that borders the Mississippi River shall not divide any  
14 remaining retention with the organization licensee that  
15 provides the race or races and an intertrack wagering  
16 location licensee that accepts wagers on races conducted by  
17 an organization licensee that conducts a race meet in a  
18 county with a population in excess of 230,000 and that  
19 borders the Mississippi River shall not divide any  
20 remaining retention with the organization licensee.  
21 Notwithstanding the provisions of clauses (ii) and (iv) of  
22 this paragraph, in the case of the additional inter-track  
23 wagering location licenses authorized under paragraph (1)  
24 of this subsection (h) by this amendatory Act of 1991,  
25 those licensees shall pay the following amounts as purses:  
26 during the first 12 months the licensee is in operation,

1 5.25% of the pari-mutuel handle wagered at the location on  
2 races; during the second 12 months, 5.25%; during the third  
3 12 months, 5.75%; during the fourth 12 months, 6.25%; and  
4 during the fifth 12 months and thereafter, 6.75%. The  
5 following amounts shall be retained by the licensee to  
6 satisfy all costs and expenses of conducting its wagering:  
7 during the first 12 months the licensee is in operation,  
8 8.25% of the pari-mutuel handle wagered at the location;  
9 during the second 12 months, 8.25%; during the third 12  
10 months, 7.75%; during the fourth 12 months, 7.25%; and  
11 during the fifth 12 months and thereafter, 6.75%. For  
12 additional intertrack wagering location licensees  
13 authorized under this amendatory Act of 1995, purses for  
14 the first 12 months the licensee is in operation shall be  
15 5.75% of the pari-mutuel wagered at the location, purses  
16 for the second 12 months the licensee is in operation shall  
17 be 6.25%, and purses thereafter shall be 6.75%. For  
18 additional intertrack location licensees authorized under  
19 this amendatory Act of 1995, the licensee shall be allowed  
20 to retain to satisfy all costs and expenses: 7.75% of the  
21 pari-mutuel handle wagered at the location during its first  
22 12 months of operation, 7.25% during its second 12 months  
23 of operation, and 6.75% thereafter.

24 (C) There is hereby created the Horse Racing Tax  
25 Allocation Fund which shall remain in existence until  
26 December 31, 1999. Moneys remaining in the Fund after

1 December 31, 1999 shall be paid into the General Revenue  
2 Fund. Until January 1, 2000, all monies paid into the Horse  
3 Racing Tax Allocation Fund pursuant to this paragraph (11)  
4 by inter-track wagering location licensees located in park  
5 districts of 500,000 population or less, or in a  
6 municipality that is not included within any park district  
7 but is included within a conservation district and is the  
8 county seat of a county that (i) is contiguous to the state  
9 of Indiana and (ii) has a 1990 population of 88,257  
10 according to the United States Bureau of the Census, and  
11 operating on May 1, 1994 shall be allocated by  
12 appropriation as follows:

13 Two-sevenths to the Department of Agriculture.  
14 Fifty percent of this two-sevenths shall be used to  
15 promote the Illinois horse racing and breeding  
16 industry, and shall be distributed by the Department of  
17 Agriculture upon the advice of a 9-member committee  
18 appointed by the Governor consisting of the following  
19 members: the Director of Agriculture, who shall serve  
20 as chairman; 2 representatives of organization  
21 licensees conducting thoroughbred race meetings in  
22 this State, recommended by those licensees; 2  
23 representatives of organization licensees conducting  
24 standardbred race meetings in this State, recommended  
25 by those licensees; a representative of the Illinois  
26 Thoroughbred Breeders and Owners Foundation,

1 recommended by that Foundation; a representative of  
2 the Illinois Standardbred Owners and Breeders  
3 Association, recommended by that Association; a  
4 representative of the Horsemen's Benevolent and  
5 Protective Association or any successor organization  
6 thereto established in Illinois comprised of the  
7 largest number of owners and trainers, recommended by  
8 that Association or that successor organization; and a  
9 representative of the Illinois Harness Horsemen's  
10 Association, recommended by that Association.  
11 Committee members shall serve for terms of 2 years,  
12 commencing January 1 of each even-numbered year. If a  
13 representative of any of the above-named entities has  
14 not been recommended by January 1 of any even-numbered  
15 year, the Governor shall appoint a committee member to  
16 fill that position. Committee members shall receive no  
17 compensation for their services as members but shall be  
18 reimbursed for all actual and necessary expenses and  
19 disbursements incurred in the performance of their  
20 official duties. The remaining 50% of this  
21 two-sevenths shall be distributed to county fairs for  
22 premiums and rehabilitation as set forth in the  
23 Agricultural Fair Act;

24 Four-sevenths to park districts or municipalities  
25 that do not have a park district of 500,000 population  
26 or less for museum purposes (if an inter-track wagering

1 location licensee is located in such a park district)  
2 or to conservation districts for museum purposes (if an  
3 inter-track wagering location licensee is located in a  
4 municipality that is not included within any park  
5 district but is included within a conservation  
6 district and is the county seat of a county that (i) is  
7 contiguous to the state of Indiana and (ii) has a 1990  
8 population of 88,257 according to the United States  
9 Bureau of the Census, except that if the conservation  
10 district does not maintain a museum, the monies shall  
11 be allocated equally between the county and the  
12 municipality in which the inter-track wagering  
13 location licensee is located for general purposes) or  
14 to a municipal recreation board for park purposes (if  
15 an inter-track wagering location licensee is located  
16 in a municipality that is not included within any park  
17 district and park maintenance is the function of the  
18 municipal recreation board and the municipality has a  
19 1990 population of 9,302 according to the United States  
20 Bureau of the Census); provided that the monies are  
21 distributed to each park district or conservation  
22 district or municipality that does not have a park  
23 district in an amount equal to four-sevenths of the  
24 amount collected by each inter-track wagering location  
25 licensee within the park district or conservation  
26 district or municipality for the Fund. Monies that were

1           paid into the Horse Racing Tax Allocation Fund before  
2           the effective date of this amendatory Act of 1991 by an  
3           inter-track wagering location licensee located in a  
4           municipality that is not included within any park  
5           district but is included within a conservation  
6           district as provided in this paragraph shall, as soon  
7           as practicable after the effective date of this  
8           amendatory Act of 1991, be allocated and paid to that  
9           conservation district as provided in this paragraph.  
10          Any park district or municipality not maintaining a  
11          museum may deposit the monies in the corporate fund of  
12          the park district or municipality where the  
13          inter-track wagering location is located, to be used  
14          for general purposes; and

15                 One-seventh to the Agricultural Premium Fund to be  
16                 used for distribution to agricultural home economics  
17                 extension councils in accordance with "An Act in  
18                 relation to additional support and finances for the  
19                 Agricultural and Home Economic Extension Councils in  
20                 the several counties of this State and making an  
21                 appropriation therefor", approved July 24, 1967.

22                 Until January 1, 2000, all other monies paid into the  
23          Horse Racing Tax Allocation Fund pursuant to this paragraph  
24          (11) shall be allocated by appropriation as follows:

25                         Two-sevenths to the Department of Agriculture.  
26                         Fifty percent of this two-sevenths shall be used to

1 promote the Illinois horse racing and breeding  
2 industry, and shall be distributed by the Department of  
3 Agriculture upon the advice of a 9-member committee  
4 appointed by the Governor consisting of the following  
5 members: the Director of Agriculture, who shall serve  
6 as chairman; 2 representatives of organization  
7 licensees conducting thoroughbred race meetings in  
8 this State, recommended by those licensees; 2  
9 representatives of organization licensees conducting  
10 standardbred race meetings in this State, recommended  
11 by those licensees; a representative of the Illinois  
12 Thoroughbred Breeders and Owners Foundation,  
13 recommended by that Foundation; a representative of  
14 the Illinois Standardbred Owners and Breeders  
15 Association, recommended by that Association; a  
16 representative of the Horsemen's Benevolent and  
17 Protective Association or any successor organization  
18 thereto established in Illinois comprised of the  
19 largest number of owners and trainers, recommended by  
20 that Association or that successor organization; and a  
21 representative of the Illinois Harness Horsemen's  
22 Association, recommended by that Association.  
23 Committee members shall serve for terms of 2 years,  
24 commencing January 1 of each even-numbered year. If a  
25 representative of any of the above-named entities has  
26 not been recommended by January 1 of any even-numbered

1 year, the Governor shall appoint a committee member to  
2 fill that position. Committee members shall receive no  
3 compensation for their services as members but shall be  
4 reimbursed for all actual and necessary expenses and  
5 disbursements incurred in the performance of their  
6 official duties. The remaining 50% of this  
7 two-sevenths shall be distributed to county fairs for  
8 premiums and rehabilitation as set forth in the  
9 Agricultural Fair Act;

10 Four-sevenths to museums and aquariums located in  
11 park districts of over 500,000 population; provided  
12 that the monies are distributed in accordance with the  
13 previous year's distribution of the maintenance tax  
14 for such museums and aquariums as provided in Section 2  
15 of the Park District Aquarium and Museum Act; and

16 One-seventh to the Agricultural Premium Fund to be  
17 used for distribution to agricultural home economics  
18 extension councils in accordance with "An Act in  
19 relation to additional support and finances for the  
20 Agricultural and Home Economic Extension Councils in  
21 the several counties of this State and making an  
22 appropriation therefor", approved July 24, 1967. This  
23 subparagraph (C) shall be inoperative and of no force  
24 and effect on and after January 1, 2000.

25 (D) Except as provided in paragraph (11) of this  
26 subsection (h), with respect to purse allocation from

1 intertrack wagering, the monies so retained shall be  
2 divided as follows:

3 (i) If the inter-track wagering licensee,  
4 except an intertrack wagering licensee that  
5 derives its license from an organization licensee  
6 located in a county with a population in excess of  
7 230,000 and bounded by the Mississippi River, is  
8 not conducting its own race meeting during the same  
9 dates, then the entire purse allocation shall be to  
10 purses at the track where the races wagered on are  
11 being conducted.

12 (ii) If the inter-track wagering licensee,  
13 except an intertrack wagering licensee that  
14 derives its license from an organization licensee  
15 located in a county with a population in excess of  
16 230,000 and bounded by the Mississippi River, is  
17 also conducting its own race meeting during the  
18 same dates, then the purse allocation shall be as  
19 follows: 50% to purses at the track where the races  
20 wagered on are being conducted; 50% to purses at  
21 the track where the inter-track wagering licensee  
22 is accepting such wagers.

23 (iii) If the inter-track wagering is being  
24 conducted by an inter-track wagering location  
25 licensee, except an intertrack wagering location  
26 licensee that derives its license from an

1 organization licensee located in a county with a  
2 population in excess of 230,000 and bounded by the  
3 Mississippi River, the entire purse allocation for  
4 Illinois races shall be to purses at the track  
5 where the race meeting being wagered on is being  
6 held.

7 (12) The Board shall have all powers necessary and  
8 proper to fully supervise and control the conduct of  
9 inter-track wagering and simulcast wagering by inter-track  
10 wagering licensees and inter-track wagering location  
11 licensees, including, but not limited to the following:

12 (A) The Board is vested with power to promulgate  
13 reasonable rules and regulations for the purpose of  
14 administering the conduct of this wagering and to  
15 prescribe reasonable rules, regulations and conditions  
16 under which such wagering shall be held and conducted.  
17 Such rules and regulations are to provide for the  
18 prevention of practices detrimental to the public  
19 interest and for the best interests of said wagering  
20 and to impose penalties for violations thereof.

21 (B) The Board, and any person or persons to whom it  
22 delegates this power, is vested with the power to enter  
23 the facilities of any licensee to determine whether  
24 there has been compliance with the provisions of this  
25 Act and the rules and regulations relating to the  
26 conduct of such wagering.

1           (C) The Board, and any person or persons to whom it  
2 delegates this power, may eject or exclude from any  
3 licensee's facilities, any person whose conduct or  
4 reputation is such that his presence on such premises  
5 may, in the opinion of the Board, call into the  
6 question the honesty and integrity of, or interfere  
7 with the orderly conduct of such wagering; provided,  
8 however, that no person shall be excluded or ejected  
9 from such premises solely on the grounds of race,  
10 color, creed, national origin, ancestry, or sex.

11           (D) (Blank).

12           (E) The Board is vested with the power to appoint  
13 delegates to execute any of the powers granted to it  
14 under this Section for the purpose of administering  
15 this wagering and any rules and regulations  
16 promulgated in accordance with this Act.

17           (F) The Board shall name and appoint a State  
18 director of this wagering who shall be a representative  
19 of the Board and whose duty it shall be to supervise  
20 the conduct of inter-track wagering as may be provided  
21 for by the rules and regulations of the Board; such  
22 rules and regulation shall specify the method of  
23 appointment and the Director's powers, authority and  
24 duties.

25           (G) The Board is vested with the power to impose  
26 civil penalties of up to \$5,000 against individuals and

1 up to \$10,000 against licensees for each violation of  
2 any provision of this Act relating to the conduct of  
3 this wagering, any rules adopted by the Board, any  
4 order of the Board or any other action which in the  
5 Board's discretion, is a detriment or impediment to  
6 such wagering.

7 (13) The Department of Agriculture may enter into  
8 agreements with licensees authorizing such licensees to  
9 conduct inter-track wagering on races to be held at the  
10 licensed race meetings conducted by the Department of  
11 Agriculture. Such agreement shall specify the races of the  
12 Department of Agriculture's licensed race meeting upon  
13 which the licensees will conduct wagering. In the event  
14 that a licensee conducts inter-track pari-mutuel wagering  
15 on races from the Illinois State Fair or DuQuoin State Fair  
16 which are in addition to the licensee's previously approved  
17 racing program, those races shall be considered a separate  
18 racing day for the purpose of determining the daily handle  
19 and computing the privilege or pari-mutuel tax on that  
20 daily handle as provided in Sections 27 and 27.1. Such  
21 agreements shall be approved by the Board before such  
22 wagering may be conducted. In determining whether to grant  
23 approval, the Board shall give due consideration to the  
24 best interests of the public and of horse racing. The  
25 provisions of paragraphs (1), (8), (8.1), and (8.2) of  
26 subsection (h) of this Section which are not specified in

1           this paragraph (13) shall not apply to licensed race  
2           meetings conducted by the Department of Agriculture at the  
3           Illinois State Fair in Sangamon County or the DuQuoin State  
4           Fair in Perry County, or to any wagering conducted on those  
5           race meetings.

6           (i) Notwithstanding the other provisions of this Act, the  
7           conduct of wagering at wagering facilities is authorized on all  
8           days, except as limited by subsection (b) of Section 19 of this  
9           Act.

10          (Source: P.A. 96-762, eff. 8-25-09; 97-1060, eff. 8-24-12.)

11           (230 ILCS 5/26.7)

12           Sec. 26.7. Advanced deposit wagering surcharge. Beginning  
13           on August 26, 2012, each advance deposit wagering licensee  
14           shall impose a surcharge of ~~up to~~ 0.18% on winning wagers and  
15           winnings from wagers placed through advance deposit wagering.  
16           The surcharge shall be deducted from winnings prior to payout.  
17           Amounts derived from a surcharge imposed under this Section  
18           shall be paid to the standardbred purse accounts of  
19           organization licensees conducting standardbred racing.

20          (Source: P.A. 97-1060, eff. 8-24-12.)

21           (230 ILCS 5/27) (from Ch. 8, par. 37-27)

22           Sec. 27. (a) In addition to the organization license fee  
23           provided by this Act, until January 1, 2000, a graduated  
24           privilege tax is hereby imposed for conducting the pari-mutuel

1 system of wagering permitted under this Act. Until January 1,  
2 2000, except as provided in subsection (g) of Section 27 of  
3 this Act, all of the breakage of each racing day held by any  
4 licensee in the State shall be paid to the State. Until January  
5 1, 2000, such daily graduated privilege tax shall be paid by  
6 the licensee from the amount permitted to be retained under  
7 this Act. Until January 1, 2000, each day's graduated privilege  
8 tax, breakage, and Horse Racing Tax Allocation funds shall be  
9 remitted to the Department of Revenue within 48 hours after the  
10 close of the racing day upon which it is assessed or within  
11 such other time as the Board prescribes. The privilege tax  
12 hereby imposed, until January 1, 2000, shall be a flat tax at  
13 the rate of 2% of the daily pari-mutuel handle except as  
14 provided in Section 27.1.

15 In addition, every organization licensee, except as  
16 provided in Section 27.1 of this Act, which conducts multiple  
17 wagering shall pay, until January 1, 2000, as a privilege tax  
18 on multiple wagers an amount equal to 1.25% of all moneys  
19 wagered each day on such multiple wagers, plus an additional  
20 amount equal to 3.5% of the amount wagered each day on any  
21 other multiple wager which involves a single betting interest  
22 on 3 or more horses. The licensee shall remit the amount of  
23 such taxes to the Department of Revenue within 48 hours after  
24 the close of the racing day on which it is assessed or within  
25 such other time as the Board prescribes.

26 This subsection (a) shall be inoperative and of no force

1 and effect on and after January 1, 2000.

2 (a-5) Beginning on January 1, 2000, a flat pari-mutuel tax  
3 at the rate of 1.5% of the daily pari-mutuel handle is imposed  
4 at all pari-mutuel wagering facilities and on advance deposit  
5 wagering from a location other than a wagering facility, except  
6 as otherwise provided for in this subsection (a-5). In addition  
7 to the pari-mutuel tax imposed on advance deposit wagering  
8 pursuant to this subsection (a-5), beginning on the effective  
9 date of this amendatory Act of the 97th General Assembly until  
10 January 31, 2014 ~~1, 2013~~, an additional pari-mutuel tax at the  
11 rate of 0.25% shall be imposed on advance deposit wagering.  
12 Until August 25, 2012, the additional 0.25% pari-mutuel tax  
13 imposed on advance deposit wagering by Public Act 96-972 shall  
14 be deposited into the Quarter Horse Purse Fund, which shall be  
15 created as a non-appropriated trust fund administered by the  
16 Board for grants to thoroughbred organization licensees for  
17 payment of purses for quarter horse races conducted by the  
18 organization licensee. Beginning on August 26, 2012, the  
19 additional 0.25% pari-mutuel tax imposed on advance deposit  
20 wagering shall be deposited into the Standardbred Purse Fund,  
21 which shall be created as a non-appropriated trust fund  
22 administered by the Board, for grants to the standardbred  
23 organization licensees for payment of purses for standardbred  
24 horse races conducted by the organization licensee ~~equally into~~  
25 ~~the standardbred purse accounts of organization licensees~~  
26 ~~conducting standardbred racing.~~ Thoroughbred organization

1 licensees may petition the Board to conduct quarter horse  
2 racing and receive purse grants from the Quarter Horse Purse  
3 Fund. The Board shall have complete discretion in distributing  
4 the Quarter Horse Purse Fund to the petitioning organization  
5 licensees. Beginning on July 26, 2010 (the effective date of  
6 Public Act 96-1287) ~~this amendatory Act of the 96th General~~  
7 ~~Assembly and until moneys deposited pursuant to Section 54 are~~  
8 ~~distributed and received~~, a pari-mutuel tax at the rate of  
9 0.75% of the daily pari-mutuel handle is imposed at a  
10 pari-mutuel facility whose license is derived from a track  
11 located in a county that borders the Mississippi River and  
12 conducted live racing in the previous year. ~~After moneys~~  
13 ~~deposited pursuant to Section 54 are distributed and received,~~  
14 ~~a pari mutuel tax at the rate of 1.5% of the daily pari mutuel~~  
15 ~~handle is imposed at a pari mutuel facility whose license is~~  
16 ~~derived from a track located in a county that borders the~~  
17 ~~Mississippi River and conducted live racing in the previous~~  
18 ~~year.~~ The pari-mutuel tax imposed by this subsection (a-5)  
19 shall be remitted to the Department of Revenue within 48 hours  
20 after the close of the racing day upon which it is assessed or  
21 within such other time as the Board prescribes.

22 (b) On or before December 31, 1999, in the event that any  
23 organization licensee conducts 2 separate programs of races on  
24 any day, each such program shall be considered a separate  
25 racing day for purposes of determining the daily handle and  
26 computing the privilege tax on such daily handle as provided in

1 subsection (a) of this Section.

2 (c) Licensees shall at all times keep accurate books and  
3 records of all monies wagered on each day of a race meeting and  
4 of the taxes paid to the Department of Revenue under the  
5 provisions of this Section. The Board or its duly authorized  
6 representative or representatives shall at all reasonable  
7 times have access to such records for the purpose of examining  
8 and checking the same and ascertaining whether the proper  
9 amount of taxes is being paid as provided. The Board shall  
10 require verified reports and a statement of the total of all  
11 monies wagered daily at each wagering facility upon which the  
12 taxes are assessed and may prescribe forms upon which such  
13 reports and statement shall be made.

14 (d) Any licensee failing or refusing to pay the amount of  
15 any tax due under this Section shall be guilty of a business  
16 offense and upon conviction shall be fined not more than \$5,000  
17 in addition to the amount found due as tax under this Section.  
18 Each day's violation shall constitute a separate offense. All  
19 fines paid into Court by a licensee hereunder shall be  
20 transmitted and paid over by the Clerk of the Court to the  
21 Board.

22 (e) No other license fee, privilege tax, excise tax, or  
23 racing fee, except as provided in this Act, shall be assessed  
24 or collected from any such licensee by the State.

25 (f) No other license fee, privilege tax, excise tax or  
26 racing fee shall be assessed or collected from any such

1 licensee by units of local government except as provided in  
2 paragraph 10.1 of subsection (h) and subsection (f) of Section  
3 26 of this Act. However, any municipality that has a Board  
4 licensed horse race meeting at a race track wholly within its  
5 corporate boundaries or a township that has a Board licensed  
6 horse race meeting at a race track wholly within the  
7 unincorporated area of the township may charge a local  
8 amusement tax not to exceed 10¢ per admission to such horse  
9 race meeting by the enactment of an ordinance. However, any  
10 municipality or county that has a Board licensed inter-track  
11 wagering location facility wholly within its corporate  
12 boundaries may each impose an admission fee not to exceed \$1.00  
13 per admission to such inter-track wagering location facility,  
14 so that a total of not more than \$2.00 per admission may be  
15 imposed. Except as provided in subparagraph (g) of Section 27  
16 of this Act, the inter-track wagering location licensee shall  
17 collect any and all such fees and within 48 hours remit the  
18 fees to the Board, which shall, pursuant to rule, cause the  
19 fees to be distributed to the county or municipality.

20 (g) Notwithstanding any provision in this Act to the  
21 contrary, if in any calendar year the total taxes and fees  
22 required to be collected from licensees and distributed under  
23 this Act to all State and local governmental authorities  
24 exceeds the amount of such taxes and fees distributed to each  
25 State and local governmental authority to which each State and  
26 local governmental authority was entitled under this Act for

1 calendar year 1994, then the first \$11 million of that excess  
2 amount shall be allocated at the earliest possible date for  
3 distribution as purse money for the succeeding calendar year.  
4 Upon reaching the 1994 level, and until the excess amount of  
5 taxes and fees exceeds \$11 million, the Board shall direct all  
6 licensees to cease paying the subject taxes and fees and the  
7 Board shall direct all licensees to allocate any such excess  
8 amount for purses as follows:

9 (i) the excess amount shall be initially divided  
10 between thoroughbred and standardbred purses based on the  
11 thoroughbred's and standardbred's respective percentages  
12 of total Illinois live wagering in calendar year 1994;

13 (ii) each thoroughbred and standardbred organization  
14 licensee issued an organization license in that  
15 succeeding allocation year shall be allocated an amount  
16 equal to the product of its percentage of total Illinois  
17 live thoroughbred or standardbred wagering in calendar  
18 year 1994 (the total to be determined based on the sum of  
19 1994 on-track wagering for all organization licensees  
20 issued organization licenses in both the allocation year  
21 and the preceding year) multiplied by the total amount  
22 allocated for standardbred or thoroughbred purses,  
23 provided that the first \$1,500,000 of the amount allocated  
24 to standardbred purses under item (i) shall be allocated to  
25 the Department of Agriculture to be expended with the  
26 assistance and advice of the Illinois Standardbred

1 Breeders Funds Advisory Board for the purposes listed in  
2 subsection (g) of Section 31 of this Act, before the amount  
3 allocated to standardbred purses under item (i) is  
4 allocated to standardbred organization licensees in the  
5 succeeding allocation year.

6 To the extent the excess amount of taxes and fees to be  
7 collected and distributed to State and local governmental  
8 authorities exceeds \$11 million, that excess amount shall be  
9 collected and distributed to State and local authorities as  
10 provided for under this Act.

11 (Source: P.A. 96-762, eff. 8-25-09; 96-1287, eff. 7-26-10;  
12 97-1060, eff. 8-24-12.)

13 (230 ILCS 5/54)

14 Sec. 54. Horse Racing Equity Fund.

15 (a) There is created in the State Treasury a Fund to be  
16 known as the Horse Racing Equity Fund. The Fund shall consist  
17 of moneys paid into it pursuant to subsection (c-5) of Section  
18 13 of the Riverboat Gambling Act. The Fund shall be  
19 administered by the Racing Board.

20 (b) The moneys deposited into the Fund shall be distributed  
21 by the Racing Board ~~State Treasurer~~ within 10 days after those  
22 moneys are deposited into the Fund as follows:

23 (1) Fifty percent of all moneys distributed under this  
24 subsection shall be distributed to organization licensees  
25 to be distributed at their race meetings as purses.

1 Fifty-seven percent of the amount distributed under this  
2 paragraph (1) shall be distributed for thoroughbred race  
3 meetings and 43% shall be distributed for standardbred race  
4 meetings. Within each breed, moneys shall be allocated to  
5 each organization licensee's purse fund in accordance with  
6 the ratio between the purses generated for that breed by  
7 that licensee during the prior calendar year and the total  
8 purses generated throughout the State for that breed during  
9 the prior calendar year.

10 (2) The remaining 50% of the moneys distributed under  
11 this subsection (b) shall be distributed pro rata according  
12 to the aggregate proportion of state-wide handle at the  
13 racetrack, inter-track, and inter-track wagering locations  
14 that derive their licenses from a racetrack identified in  
15 this paragraph (2) for calendar years 1994, 1996, and 1997  
16 to (i) any person (or its successors or assigns) who had  
17 operating control of a racing facility at which live racing  
18 was conducted in calendar year 1997 and who has operating  
19 control of an organization licensee that conducted racing  
20 in calendar year 1997 and is a licensee in the current  
21 year, or (ii) any person (or its successors or assigns) who  
22 has operating control of a racing facility located in a  
23 county that is bounded by the Mississippi River that has a  
24 population of less than 150,000 according to the 1990  
25 decennial census and conducted an average of 60 days of  
26 racing per year between 1985 and 1993 and has been awarded

1 an inter-track wagering license in the current year.

2 If any person identified in this paragraph (2) becomes  
3 ineligible to receive moneys from the Fund, such amount  
4 shall be redistributed among the remaining persons in  
5 proportion to their percentages otherwise calculated.

6 (Source: P.A. 91-40, eff. 6-25-99.)

7 Section 20. The Riverboat Gambling Act is amended by  
8 changing Section 13 as follows:

9 (230 ILCS 10/13) (from Ch. 120, par. 2413)

10 Sec. 13. Wagering tax; rate; distribution.

11 (a) Until January 1, 1998, a tax is imposed on the adjusted  
12 gross receipts received from gambling games authorized under  
13 this Act at the rate of 20%.

14 (a-1) From January 1, 1998 until July 1, 2002, a privilege  
15 tax is imposed on persons engaged in the business of conducting  
16 riverboat gambling operations, based on the adjusted gross  
17 receipts received by a licensed owner from gambling games  
18 authorized under this Act at the following rates:

19 15% of annual adjusted gross receipts up to and  
20 including \$25,000,000;

21 20% of annual adjusted gross receipts in excess of  
22 \$25,000,000 but not exceeding \$50,000,000;

23 25% of annual adjusted gross receipts in excess of  
24 \$50,000,000 but not exceeding \$75,000,000;

1           30% of annual adjusted gross receipts in excess of  
2           \$75,000,000 but not exceeding \$100,000,000;

3           35% of annual adjusted gross receipts in excess of  
4           \$100,000,000.

5           (a-2) From July 1, 2002 until July 1, 2003, a privilege tax  
6           is imposed on persons engaged in the business of conducting  
7           riverboat gambling operations, other than licensed managers  
8           conducting riverboat gambling operations on behalf of the  
9           State, based on the adjusted gross receipts received by a  
10          licensed owner from gambling games authorized under this Act at  
11          the following rates:

12          15% of annual adjusted gross receipts up to and  
13          including \$25,000,000;

14          22.5% of annual adjusted gross receipts in excess of  
15          \$25,000,000 but not exceeding \$50,000,000;

16          27.5% of annual adjusted gross receipts in excess of  
17          \$50,000,000 but not exceeding \$75,000,000;

18          32.5% of annual adjusted gross receipts in excess of  
19          \$75,000,000 but not exceeding \$100,000,000;

20          37.5% of annual adjusted gross receipts in excess of  
21          \$100,000,000 but not exceeding \$150,000,000;

22          45% of annual adjusted gross receipts in excess of  
23          \$150,000,000 but not exceeding \$200,000,000;

24          50% of annual adjusted gross receipts in excess of  
25          \$200,000,000.

26          (a-3) Beginning July 1, 2003, a privilege tax is imposed on

1 persons engaged in the business of conducting riverboat  
2 gambling operations, other than licensed managers conducting  
3 riverboat gambling operations on behalf of the State, based on  
4 the adjusted gross receipts received by a licensed owner from  
5 gambling games authorized under this Act at the following  
6 rates:

7 15% of annual adjusted gross receipts up to and  
8 including \$25,000,000;

9 27.5% of annual adjusted gross receipts in excess of  
10 \$25,000,000 but not exceeding \$37,500,000;

11 32.5% of annual adjusted gross receipts in excess of  
12 \$37,500,000 but not exceeding \$50,000,000;

13 37.5% of annual adjusted gross receipts in excess of  
14 \$50,000,000 but not exceeding \$75,000,000;

15 45% of annual adjusted gross receipts in excess of  
16 \$75,000,000 but not exceeding \$100,000,000;

17 50% of annual adjusted gross receipts in excess of  
18 \$100,000,000 but not exceeding \$250,000,000;

19 70% of annual adjusted gross receipts in excess of  
20 \$250,000,000.

21 An amount equal to the amount of wagering taxes collected  
22 under this subsection (a-3) that are in addition to the amount  
23 of wagering taxes that would have been collected if the  
24 wagering tax rates under subsection (a-2) were in effect shall  
25 be paid into the Common School Fund.

26 The privilege tax imposed under this subsection (a-3) shall

1 no longer be imposed beginning on the earlier of (i) July 1,  
2 2005; (ii) the first date after June 20, 2003 that riverboat  
3 gambling operations are conducted pursuant to a dormant  
4 license; or (iii) the first day that riverboat gambling  
5 operations are conducted under the authority of an owners  
6 license that is in addition to the 10 owners licenses initially  
7 authorized under this Act. For the purposes of this subsection  
8 (a-3), the term "dormant license" means an owners license that  
9 is authorized by this Act under which no riverboat gambling  
10 operations are being conducted on June 20, 2003.

11 (a-4) Beginning on the first day on which the tax imposed  
12 under subsection (a-3) is no longer imposed, a privilege tax is  
13 imposed on persons engaged in the business of conducting  
14 riverboat gambling operations, other than licensed managers  
15 conducting riverboat gambling operations on behalf of the  
16 State, based on the adjusted gross receipts received by a  
17 licensed owner from gambling games authorized under this Act at  
18 the following rates:

19 15% of annual adjusted gross receipts up to and  
20 including \$25,000,000;

21 22.5% of annual adjusted gross receipts in excess of  
22 \$25,000,000 but not exceeding \$50,000,000;

23 27.5% of annual adjusted gross receipts in excess of  
24 \$50,000,000 but not exceeding \$75,000,000;

25 32.5% of annual adjusted gross receipts in excess of  
26 \$75,000,000 but not exceeding \$100,000,000;

1           37.5% of annual adjusted gross receipts in excess of  
2           \$100,000,000 but not exceeding \$150,000,000;

3           45% of annual adjusted gross receipts in excess of  
4           \$150,000,000 but not exceeding \$200,000,000;

5           50% of annual adjusted gross receipts in excess of  
6           \$200,000,000.

7           (a-8) Riverboat gambling operations conducted by a  
8           licensed manager on behalf of the State are not subject to the  
9           tax imposed under this Section.

10          (a-10) The taxes imposed by this Section shall be paid by  
11          the licensed owner to the Board not later than 5:00 o'clock  
12          p.m. of the day after the day when the wagers were made.

13          (a-15) If the privilege tax imposed under subsection (a-3)  
14          is no longer imposed pursuant to item (i) of the last paragraph  
15          of subsection (a-3), then by June 15 of each year, each owners  
16          licensee, other than an owners licensee that admitted 1,000,000  
17          persons or fewer in calendar year 2004, must, in addition to  
18          the payment of all amounts otherwise due under this Section,  
19          pay to the Board a reconciliation payment in the amount, if  
20          any, by which the licensed owner's base amount exceeds the  
21          amount of net privilege tax paid by the licensed owner to the  
22          Board in the then current State fiscal year. A licensed owner's  
23          net privilege tax obligation due for the balance of the State  
24          fiscal year shall be reduced up to the total of the amount paid  
25          by the licensed owner in its June 15 reconciliation payment.  
26          The obligation imposed by this subsection (a-15) is binding on

1 any person, firm, corporation, or other entity that acquires an  
2 ownership interest in any such owners license. The obligation  
3 imposed under this subsection (a-15) terminates on the earliest  
4 of: (i) July 1, 2007, (ii) the first day after the effective  
5 date of this amendatory Act of the 94th General Assembly that  
6 riverboat gambling operations are conducted pursuant to a  
7 dormant license, (iii) the first day that riverboat gambling  
8 operations are conducted under the authority of an owners  
9 license that is in addition to the 10 owners licenses initially  
10 authorized under this Act, or (iv) the first day that a  
11 licensee under the Illinois Horse Racing Act of 1975 conducts  
12 gaming operations with slot machines or other electronic gaming  
13 devices. The Board must reduce the obligation imposed under  
14 this subsection (a-15) by an amount the Board deems reasonable  
15 for any of the following reasons: (A) an act or acts of God,  
16 (B) an act of bioterrorism or terrorism or a bioterrorism or  
17 terrorism threat that was investigated by a law enforcement  
18 agency, or (C) a condition beyond the control of the owners  
19 licensee that does not result from any act or omission by the  
20 owners licensee or any of its agents and that poses a hazardous  
21 threat to the health and safety of patrons. If an owners  
22 licensee pays an amount in excess of its liability under this  
23 Section, the Board shall apply the overpayment to future  
24 payments required under this Section.

25 For purposes of this subsection (a-15):

26 "Act of God" means an incident caused by the operation of

1 an extraordinary force that cannot be foreseen, that cannot be  
2 avoided by the exercise of due care, and for which no person  
3 can be held liable.

4 "Base amount" means the following:

5 For a riverboat in Alton, \$31,000,000.

6 For a riverboat in East Peoria, \$43,000,000.

7 For the Empress riverboat in Joliet, \$86,000,000.

8 For a riverboat in Metropolis, \$45,000,000.

9 For the Harrah's riverboat in Joliet, \$114,000,000.

10 For a riverboat in Aurora, \$86,000,000.

11 For a riverboat in East St. Louis, \$48,500,000.

12 For a riverboat in Elgin, \$198,000,000.

13 "Dormant license" has the meaning ascribed to it in  
14 subsection (a-3).

15 "Net privilege tax" means all privilege taxes paid by a  
16 licensed owner to the Board under this Section, less all  
17 payments made from the State Gaming Fund pursuant to subsection  
18 (b) of this Section.

19 The changes made to this subsection (a-15) by Public Act  
20 94-839 are intended to restate and clarify the intent of Public  
21 Act 94-673 with respect to the amount of the payments required  
22 to be made under this subsection by an owners licensee to the  
23 Board.

24 (b) Until January 1, 1998, 25% of the tax revenue deposited  
25 in the State Gaming Fund under this Section shall be paid,  
26 subject to appropriation by the General Assembly, to the unit

1 of local government which is designated as the home dock of the  
2 riverboat. Beginning January 1, 1998, from the tax revenue  
3 deposited in the State Gaming Fund under this Section, an  
4 amount equal to 5% of adjusted gross receipts generated by a  
5 riverboat shall be paid monthly, subject to appropriation by  
6 the General Assembly, to the unit of local government that is  
7 designated as the home dock of the riverboat. From the tax  
8 revenue deposited in the State Gaming Fund pursuant to  
9 riverboat gambling operations conducted by a licensed manager  
10 on behalf of the State, an amount equal to 5% of adjusted gross  
11 receipts generated pursuant to those riverboat gambling  
12 operations shall be paid monthly, subject to appropriation by  
13 the General Assembly, to the unit of local government that is  
14 designated as the home dock of the riverboat upon which those  
15 riverboat gambling operations are conducted.

16 (c) Appropriations, as approved by the General Assembly,  
17 may be made from the State Gaming Fund to the Board (i) for the  
18 administration and enforcement of this Act and the Video Gaming  
19 Act, (ii) for distribution to the Department of State Police  
20 and to the Department of Revenue for the enforcement of this  
21 Act, and (iii) to the Department of Human Services for the  
22 administration of programs to treat problem gambling.

23 (c-5) Before May 26, 2006 (the effective date of Public Act  
24 94-804) and beginning on the effective date of this amendatory  
25 Act of the 95th General Assembly, unless any organization  
26 licensee under the Illinois Horse Racing Act of 1975 begins to

1 operate a slot machine or video game of chance under the  
2 Illinois Horse Racing Act of 1975 or this Act, after the  
3 payments required under subsections (b) and (c) have been made,  
4 an amount equal to 15% of the adjusted gross receipts of (1) an  
5 owners licensee that relocates pursuant to Section 11.2, (2) an  
6 owners licensee conducting riverboat gambling operations  
7 pursuant to an owners license that is initially issued after  
8 June 25, 1999, or (3) the first riverboat gambling operations  
9 conducted by a licensed manager on behalf of the State under  
10 Section 7.3, whichever comes first, shall be paid from the  
11 State Gaming Fund into the Horse Racing Equity Fund.

12 (c-10) Each year the General Assembly shall appropriate  
13 from the General Revenue Fund to the Education Assistance Fund  
14 an amount equal to the amount paid into the Horse Racing Equity  
15 Fund pursuant to subsection (c-5) in the prior calendar year.

16 (c-15) After the payments required under subsections (b),  
17 (c), and (c-5) have been made, an amount equal to 2% of the  
18 adjusted gross receipts of (1) an owners licensee that  
19 relocates pursuant to Section 11.2, (2) an owners licensee  
20 conducting riverboat gambling operations pursuant to an owners  
21 license that is initially issued after June 25, 1999, or (3)  
22 the first riverboat gambling operations conducted by a licensed  
23 manager on behalf of the State under Section 7.3, whichever  
24 comes first, shall be paid, subject to appropriation from the  
25 General Assembly, from the State Gaming Fund to each home rule  
26 county with a population of over 3,000,000 inhabitants for the

1 purpose of enhancing the county's criminal justice system.

2 (c-20) Each year the General Assembly shall appropriate  
3 from the General Revenue Fund to the Education Assistance Fund  
4 an amount equal to the amount paid to each home rule county  
5 with a population of over 3,000,000 inhabitants pursuant to  
6 subsection (c-15) in the prior calendar year.

7 (c-25) On July 1, 2013 and each July 1 thereafter,  
8 \$1,600,000 shall be transferred from the State Gaming Fund to  
9 the Chicago State University Education Improvement Fund. ~~After~~  
10 ~~the payments required under subsections (b), (c), (c-5) and~~  
11 ~~(c-15) have been made, an amount equal to 2% of the adjusted~~  
12 ~~gross receipts of (1) an owners licensee that relocates~~  
13 ~~pursuant to Section 11.2, (2) an owners licensee conducting~~  
14 ~~riverboat gambling operations pursuant to an owners license~~  
15 ~~that is initially issued after June 25, 1999, or (3) the first~~  
16 ~~riverboat gambling operations conducted by a licensed manager~~  
17 ~~on behalf of the State under Section 7.3, whichever comes~~  
18 ~~first, shall be paid from the State Gaming Fund to Chicago~~  
19 ~~State University.~~

20 (c-30) On July 1, 2013 or as soon as possible thereafter,  
21 \$92,000,000 shall be transferred from the State Gaming Fund to  
22 the School Infrastructure Fund and \$23,000,000 shall be  
23 transferred from the State Gaming Fund to the Horse Racing  
24 Equity Fund.

25 (c-35) Beginning on July 1, 2013, in addition to any amount  
26 transferred under subsection (c-30) of this Section,

1 \$5,530,000 shall be transferred monthly from the State Gaming  
2 Fund to the School Infrastructure Fund.

3 (d) From time to time, the Board shall transfer the  
4 remainder of the funds generated by this Act into the Education  
5 Assistance Fund, created by Public Act 86-0018, of the State of  
6 Illinois.

7 (e) Nothing in this Act shall prohibit the unit of local  
8 government designated as the home dock of the riverboat from  
9 entering into agreements with other units of local government  
10 in this State or in other states to share its portion of the  
11 tax revenue.

12 (f) To the extent practicable, the Board shall administer  
13 and collect the wagering taxes imposed by this Section in a  
14 manner consistent with the provisions of Sections 4, 5, 5a, 5b,  
15 5c, 5d, 5e, 5f, 5g, 5i, 5j, 6, 6a, 6b, 6c, 8, 9, and 10 of the  
16 Retailers' Occupation Tax Act and Section 3-7 of the Uniform  
17 Penalty and Interest Act.

18 (Source: P.A. 95-331, eff. 8-21-07; 95-1008, eff. 12-15-08;  
19 96-37, eff. 7-13-09; 96-1392, eff. 1-1-11.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."